

#### REMARKS

Claims 1-17 were pending in the application. By the foregoing amendments, claims 18-28 have been added so that the pending claims now consist of claims 1-28. No new matter has been introduced.

The only rejection of claims 1-17 was on the basis of double patenting in view of applicants parent application now issued as U.S. Patent No. 6,093,827. Applicants have now amended claim 1 so as to change the scope of the claim, thus obviating the basis for the double patenting rejection for independent claim 1 and dependent claims 2-17. Withdrawal of the same is requested.

Applicants have also added new claims 18-28, of which claims 18, 21, 23, and 24 are independent. These newly added independent claims are based on the originally filed claim 1 with the addition of further limitations that are found in the specification.

In particular, independent claim 18 is based on original claim 1 and adds the limitation of a molar ratio range of dibenzosuberone or an aza derivative thereof to aliphatic ketone. Claims 19 and 20 further refine this range. Basis for this addition can be found on page 5 of the specification.

Independent claim 21 is also based on the original claim 1 with the additional limitation of a molar ratio range of zinc to titanium, with the range further refined in claim 22. Basis for this addition can be found at the top of page 6 of the specification.

Independent claim 23 adds a molar ratio range of titanium to dibenzosuberone that is described at page 6 of the specification.

Independent claim 24 is based on the original claim 1 with the limitation that the process occurs at a temperature of less than 100°C, with claim 25 further refining the temperature range. Support for this can be found on page 6 of the specification.

Finally, claims 26 to 28 specify particular reaction times based upon the description provided at the top of page 7 of the specification.

## Amendment

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Respectfully submitted,

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## CERTIFICATE OF MAILING

I hereby certify that this correspondence and any attachments thereto are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, DC 20231, on October 4, 2001.

**Karen Lee Orzechowski**

Signature

Date \_\_\_\_\_

## APPENDIX - MARKED UP AMENDMENTS

**Page 1, after the title and before the first paragraph:**

This application is a continuation of prior Application No. 09/383,078 filed August 26, 1999, and now issued as U.S. Patent No. 6,093,827.

**In the claims:**

1. (Amended) A process for preparing 5,6-dihydro-11H-dibenzo[a,d]cyclohept-11-enes ~~comprising~~ consisting essentially of reacting a dibenzosuberone or an aza derivative thereof with an aliphatic ketone in the presence of low valent titanium wherein said low valent titanium is generated by zinc.

18. (New) A process for preparing 5,6-dihydro-11H-dibenzo[a,d]cyclohept-11-enes comprising reacting a dibenzosuberone or an aza derivative thereof with an aliphatic ketone in the presence of low valent titanium wherein said low valent titanium is generated by zinc and wherein the dibenzosuberone is present in a molar ratio range of from about 1:2 to about 2:1 relative to the aliphatic ketone.

19. (New) A process as claimed in claim 18 wherein the dibenzosuberone or aza derivative thereof is present in a molar ratio range of from about 1:1.5 to about 1.5:1 relative to the aliphatic ketone.

20. (New) A process as claimed in claim 18 wherein the dibenzosuberone or aza derivative thereof is present in a molar ratio range of from about 1:1.1 to about 1.1:1 relative to the aliphatic ketone.

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21. (New) A process for preparing 5,6-dihydro-11H-dibenzo[a,d]cyclohept-11-enes comprising reacting a dibenzosuberone or aza derivative thereof with an aliphatic ketone in the presence of low valent titanium wherein the low valent titanium is generated by zinc and wherein the zinc is present in a molar ratio range of from about 4:1 to about 1:1 relative to the titanium.

22. (New) A process as claimed in claim 21 wherein the zinc is present in a molar ratio range of from about 3:1 to about 2:1 relative to the titanium.

23. (New) A process for preparing 5,6-dihydro-11H-dibenzo[a,d]cyclohept-11-enes comprising reacting a dibenzosuberone or aza derivative thereof with an aliphatic ketone in the presence of low valent titanium wherein the low valent titanium is generated by zinc and wherein the titanium is present in a molar ratio range of from about 0.5:1 to about 6:1 relative to the dibenzosuberone or aza derivative thereof.

24. (New) A process for preparing 5,6-dihydro-11H-dibenzo[a,d]cyclohept-11-enes comprising reacting a dibenzosuberone or aza derivative thereof with an aliphatic ketone in the presence of low valent titanium at a temperature of less than about 100°C wherein the low valent titanium is generated by zinc.

25. (New) A process as claimed in claim 24 wherein the temperature is from about 20°C to about 60°C.

26. (New) A process for preparing 5,6-dihydro-11H-dibenzo[a,d]cyclohept-11-enes comprising reacting a dibenzosuberone or aza derivative thereof with an aliphatic ketone in the presence of low valent titanium for at least about 1 hour wherein the low valent titanium is generated by zinc.

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27. (New) A process as claimed in claim 26 wherein the dibenzosuberone or aza derivative thereof and the aliphatic ketone are reacted for a time of from about 1 hour to about 4 hours.

28. (New) A process as claimed in claim 26 wherein the dibenzosuberone or aza derivative thereof and the aliphatic ketone are reacted for a time of from about 1 hour to about 2 hours.